

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY R. TURNER, 103312,

Petitioner,

v.

CITY AND COUNTY OF SAN FRANCISCO  
SUPERIOR COURT, et al.,

Respondent.

Case No. [24-cv-08272-CRB](#) (PR)

**ORDER OF DISMISSAL**

(ECF Nos. 10 & 13)

Petitioner Anthony R. Turner, a pretrial detainee at the Solano County Jail facing state criminal charges in Solano County Superior Court, filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 while at the Contra Costa County Jail claiming that City and County of San Francisco officials unlawfully arrested, detained and removed him to Contra Costa County Jail based on a falsified warrant from San Francisco County Superior Court.

On January 31, 2025, the court dismissed the petition for a writ of habeas corpus under 28 U.S.C. § 2254 with partial leave to amend as follows:

To the extent petitioner seeks to challenge his current pretrial detention on pending state criminal charges, he will be afforded an opportunity to file an amended petition under [28 U.S.C.] § 2241 that makes clear the current detention and state criminal charges he is challenging and, if possible, show that he has exhausted available state judicial remedies in connection with said detention and state criminal charges and that special circumstances warrant federal intervention. See [Carden v. Montana, 626 F.2d 82, 83-84 (9th Cir. 1980)]. But to the extent petitioner seeks to bring a separate claim or claims of wrongdoing against state or local officials in connection with his arrest, detention and/or removal to Contra Costa County Jail, he must do so by filing a separate civil rights action. See Nettles v. Grounds, 830 F.3d 922, 931 (9th Cir. 2016) (en banc) (only claim whose success would release claimant from confinement or shorten its duration may be brought in habeas corpus).

ECF No. 7 at 2.


On March 3, 2025, petitioner filed an “Amended Complaint Petition” seeking both to challenge his current pretrial detention at the Solano County Jail on pending state criminal charges in Solano County Superior Court and to pursue separate claims of wrongdoing against state and local officials in connection with his arrests, detentions and/or removals to Contra Costa and Solano counties. But a § 2241 petition challenging petitioner’s current pretrial detention at the Solano County Jail on pending state criminal charges in Solano County Superior Court must be brought in the Eastern District of California in whose venue Solano County lies. See 28 U.S.C. § 84(b). And separate claims of wrongdoing against state or local officials in connection with petitioner’s arrests, detentions and/or removals to Contra Costa and Solano counties must be brought in a separate civil rights action or actions under 42 U.S.C. § 1983. See Nettles, 830 F.3d at 931.

Petitioner’s “Amended Complaint Petition” accordingly is DISMISED without prejudice to filing a § 2241 petition in the Eastern District of California and/or a separate civil rights action or actions under § 1983.

The clerk is directed to close this habeas case and to terminate all pending motions (see ECF Nos. 10 & 13) as moot.

**IT IS SO ORDERED.**

Dated: March 25, 2025

  
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CHARLES R. BREYER  
United States District Judge